



HEADQUARTERS, UNITED STATES FORCES, KOREA
UNIT 15237
APO AP 96205-0010

REPLY TO
ATTENTION OF:

FKCS

22 APR 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Interim Policy Regarding Privately-Owned Vehicle (POV) Driving Privileges

1. **Purpose:** To effect an interim change to USFK Regulation 190-1, Motor Vehicle Traffic Supervision, regarding the POV driving privileges of USFK service members in the grades of E-6 and below (to include their family members).

2. **Effective immediately:** In order for any USFK service members in the grades of E-6 and below (to include their family members) to be eligible to be issued, or re-issued, a POV operator's license (USFK Motor Vehicle Operator's Permit, USFK Form 134EK), the service member must be serving in Korea on a command sponsored tour. *Occupation of a billet that is on the Command Sponsored Position List (CSPL) is not sufficient.* The service member must actually be assigned on a command-sponsored tour "with family members" and those family members must be living in Korea with the service member.

3. If the above command-sponsored tour qualification is met, the service member's immediate O3 commander will:

(a) Conduct a local records check through COPS system for any prior criminal offenses with the servicing Military Police administrative section, Air Force Security Forces Reports and Analysis Branch, or the servicing local Naval Police Records repository.

(b) Personally verify the service member and command sponsored family members possess valid driver's licenses issued by a US state or territory or the District of Columbia, and note any driving restrictions placed on the licenses (e.g., daytime driving only).

(c) Counsel the service member and his/her family members, in writing, regarding the consequences of driving under the influence of alcohol or other intoxicants, including: adverse effect on the USFK mission; possible (but not mandatory or automatic) initiation of action under the UCMJ if the driver is a service member; consideration for adverse administrative action such as discharge for misconduct with a less than honorable discharge; initiation (mandatory under some service regulations, depending on the circumstances of the drunk driving incident) of a General Officer Memorandum of Reprimand or similar action placing unfavorable information in the service member's record; and sanctions available to the command for family member misconduct. The counseling

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will certify that the service member and/or his family members have reviewed the USFK Provost Marshal's slide presentation on Driving Under the Influence (available in the USFK Public Folders under Staff Folders/ EUSA Staff/ EAG3/ EAGC-TD/ New Horizons/ New Horizons IV/ DUI Briefing). The counseling will stress that it is the service member's responsibility to continuously maintain mandatory minimum insurance coverage IAW USFK Regulation 190-1. The counseling will be signed and dated by both the commander and the service member and/or his or her family members.

(d) The service member's commander will forward a recommendation for approval/disapproval of driving privileges for the service member and for any of his family members who desire to drive to the first commander (in the grade of O-5) within the service member's chain of command. The commander in the grade of O-5, acting as approval authority, will approve or disapprove the recommendation for the driving privileges of the service member and/or his/her family members, and forward approvals to the servicing driver's license examination office.

(e) At a minimum of once per quarter, unit commanders will inspect service members and their vehicles to ensure that operator licenses are current, insurance policies remain in force and carry mandated minimum coverage limits and that vehicles meet USFK vehicle safety inspection standards.

4. Those service members in the grade of E-6 and below who do not meet the command-sponsored tour qualification in paragraph 2 of this policy may request an exception to this policy in accordance with paragraph 5 below.

5. The request for an exception to policy will be reviewed by the chain of command using the procedures set forth in paragraph 3 of this policy. Exceptions to policy will be forwarded, by written endorsement from the service member's commander (in the grade of O-5 or above) through the chain of command to the Area Commander (in the grade of O-6 or above) of the area in which the service member is stationed. The recommendation will include a detailed explanation of the basis for the exception to policy.

6. Area Commanders will:

(a) If acting on an exception to policy (paragraphs 4 and 5, above), determine whether the service member and/or his/her family members will be permitted to obtain a USFK Motor Vehicle Operator's Permit.

(b) Distribute this determination to the servicing driver's license examination station and to the service member via his or her chain of command.

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(c) Ensure that all driver's testing facilities under their authority and control have procedures in place to ensure that only those service members in the grades of E-6 and below and/or their family members who have received the Area Commander's approval (for exceptions to policy) or O-5 commander's approval (all other cases) receive a POV operator's license.

7. Current Licensees:

(a) If a service member is in the grade of E-6 and below, the service member's chain of command will follow the steps outlined in paragraphs 3(a) through 3(c) of this policy. In addition, the chain of command will examine the service member's automobile insurance policy to verify that it has not lapsed. Commanders will conduct this review of all current licensees in the grade of E-6 or below, and their driver family members, if any, no later than 1 June 2004. If a service member has shipped a vehicle at government expense, on military orders to Korea, he/she will be allowed to retain their POV license under this policy until normal DEROS, provided that he/she meets all steps noted in 3 (a-c) and has been re-verified by his/her chain of command. There will be no further exemptions under this clause (previously shipped privately owned vehicle-at government expense) given after 15 July 2004. If the chain of command determines there is reason to withdraw driving privileges from the service member and/or any of his/her family members, the service member's first commander in the grade of O-5 or above will forward a request through the chain of command to the Revocation Authority, as defined in USFK Regulation 190-1, paragraph 2-5a, that the POV driving privileges of the service member and/or his or her family members be revoked. The chain of command will allow the service member a reasonable period of time to dispose of his or her POV prior to forwarding the revocation request to the Revocation Authority.

(b) The Revocation Authority will revoke USFK Motor Vehicle Operator's Permits, pursuant to the recommendations of the service member's chain of command, without regard to the procedures set forth in USFK Regulation 190-1, paragraphs 2-5b through g.

(c) No USFK Motor Vehicle Operator's Permit of a service member in the grade of E-6 or below, or a dependent of a service member in the grade of E-6 or below, will be renewed or re-issued without compliance with paragraphs 2 through 6 of this policy.

8. Interim Change to USFK Regulation 190-1: This policy memorandum effects an interim change to USFK Regulation 190-1 (dated 7 November 2001) and is effective immediately. If there are any provisions of the current regulation inconsistent with this policy memorandum, this policy memorandum controls. This policy letter will terminate upon the effective date of the pending revision of USFK Regulation 190-1.

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FOR THE COMMANDER:

A handwritten signature in black ink, appearing to read 'Charles C. Campbell', with a large, sweeping flourish extending to the right.

CHARLES C. CAMPBELL
Lieutenant General, USA
Chief of Staff

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